

REMARKS/ARGUMENTS

Claims 7, 9-11, 16, 18 and 19 are now active in this application.

REJECTION OF CLAIMS UNDER 35 U.S.C. § 103

I. Claims 7 and 9-11 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Vijeh et al. (USPN 5,353,353) in view of Chou (USPN 5,850,526).

Claims 16, 18 and 19 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Vijeh et al. (USPN 5,353,353) in view of Chou (USPN 5,850,526), and further in view of Lo et al. (USPN 5,940,392).

II. The rejections are respectfully traversed.

In imposing a rejection under 35 U.S.C. § 103, the Examiner is charged with the initial burden of identifying a source in the applied prior art for each of the claim limitations. *Smiths Industries Medical Systems v. Vital Signs*, 183 F.3d 1347, 51 USPQ2d 1415 (Fed. Cir. 1999). That burden has not been discharged.

Independent claim 7 recites, *inter alia*:

corrupting transmission of the data packet on other repeater ports *by concurrently asserting a transmit error signal and deasserting the transmit enable signal on the media independent interfaces corresponding to the other repeater ports*;

receiving by a physical layer transmitter the transmit data, the deasserted transmit enable signal, and the asserted transmit error signal from at least one of the media independent interfaces corresponding to at least one of the other repeater ports; and

selectively transmitting a prescribed data pattern as corrupted transmit data from the physical layer transmitter to at least one of the network nodes corresponding to the at least one of the other repeater ports *based on* the received

transmit data, *the deasserted transmit enable signal, and the asserted transmit error signal*. (Emphasis added)

Independent claim 16 recites, *inter alia*:

(2) a security circuit for transmitting a data packet on an identified one of the repeater ports corresponding to the network node having the destination address specified in the data packet, the security circuit corrupting transmission of the data packet on other of the repeater ports corresponding to network nodes not having the destination address specified in the data packet *by concurrently asserting a transmit error signal and deasserting a transmit enable signal on the respective media independent interfaces*; and

at least one physical layer transceiver for receiving the transmitted data packet, the transmit error signal, and the deasserted transmit enable signal for at least one of the media independent interfaces corresponding to the other of the network ports, the physical layer transceiver outputting a prescribed data pattern as a corrupted data packet *based on the concurrent assertion of the transmit error signal and the deassertion of the transmit enable signal*. (Emphasis added)

It is not apparent and the Examiner has not identified wherein the applied prior art discloses or suggests the above emphasized portions of independent claims 7 and 16. The above emphasized portions independent claims 7 and 16 are not only fully described in the present application, but Figure 5 shows a circuit, as part of the output circuit 52, that provides the required functions. More specifically, transmit output circuit 70 outputs a modified transmit enable signal TX_EN' and a modified transmit error signal TX_ER' to the second independent interface 54 (see Figure 3) based on the concurrent detection of the asserted transmit error signal and the deasserted transmit enable signal.

The Examiner admits that Vijeh et al. does not state physical layer transmitter transmits the data. However, what the Examiner fails to state is that Vijeh et al. does not disclose either a physical layer transmitter or a media independent interface connecting the repeater ports to the physical layer transmitter. Given such absence, it should be clear why Viheh et al. does not

disclose the above emphasized portions independent claims 7 and 16. Cho et al. and Lo et al. also fails to disclose the above emphasized portions independent claims 7 and 16.

Should the Examiner contend that the Vijeh et al., Cho et al. or Lo et al. discloses the above emphasized portions independent claims 7 and 16, it is requested that the Examiner identify by column and line number, as well as by element and figure, where the above emphasized portions independent claims 7 and 16 are, in fact, disclosed in these references.

In response to this request, the Examiner identifies the description “A disrupt feature can be enabled and disabled on a port-by-port basis and it allows for address comparison and disrupt decision to be made independent” at column 3, lines 32-39, that the system produces a disrupt mask and this mask is provided to the repeater and used to selectively pass the message unmodified or disrupt the message based upon the pattern (column 3, lines 23-31), that the disrupt feature must be enabled explicitly for each port as stated at column 5, line 64 to column 6, line 43).

However, these portions of Vijeh et al. do not evince that Vijeh et al. disclose a corrupting transmission of the data packet on other repeater ports by concurrently (**i.e., at the same time the data packet is corrupted**) asserting a transmit error signal and deasserting the transmit enable signal on the media independent interfaces corresponding to the other repeater ports. These features are disclosed in the present invention in, for example, Figures 2 and 3, and are described at page 6, line 8 through page 7, line 18. Applicant does not gainsay that Vijeh et al., does disrupt/corrupt transmission of data from an Integrated Multiport Repeater. What applicant says is that this method of disrupting/corrupting transmission of data from a multiport repeater is done different than in the present invention as the reference does not disclose that disrupting/corrupting transmission of data is done using a certain concurrent assertion and

deassertion of the transmit error signal (TE_ER) and transmit enable signal (TX_EN) as done in the present invention. Independent claims 7 and 16 specifically recite this feature, which is distinguishable from Vijeh et al.

For the above reasons, independent claims 7 and 16, as well as dependent claims 9-11, 18 and 19, are patentable over Vijeh et al., Cho et al. and Lo et al.. Consequently, the allowance of claims 7, 9-11, 16, 18 and 19 is respectfully solicited.

CONCLUSION

Accordingly, it is urged that the application is in condition for allowance, an indication of which is respectfully solicited. If there are any outstanding issues that might be resolved by an interview or an Examiner's amendment, Examiner is requested to call Applicants' attorney at the telephone number shown below.

09/170,221

To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 500417 and please credit any excess fees to such deposit account.

Respectfully submitted,

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